

Message

From: McGill, Thomas [McGill.Thomas@epa.gov]
Sent: 12/18/2020 2:01:03 PM
To: Gettle, Jeaneanne [Gettle.Jeaneanne@epa.gov]
Subject: RE: email from Jeanine Bennett

I appreciate you saying that, but it truly was my oversight. If you're available please call me, and I also have questions about our other email exchange on the meeting next.

From: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>
Sent: Friday, December 18, 2020 8:58 AM
To: McGill, Thomas <McGill.Thomas@epa.gov>
Subject: RE: email from Jeanine Bennett

You did everything you could. We sent this through numerous people who didn't catch the error...

jmg

From: McGill, Thomas <McGill.Thomas@epa.gov>
Sent: Friday, December 18, 2020 8:55 AM
To: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>
Subject: email from Jeanine Bennett

Jeaneanne – Please see the email below from Jeanine Bennett regarding the inclusion of the wrong person on the “cc” line to both letters to the Miccosukee Tribe that were issued regarding consultation. This was clearly an oversight and I take responsibility, and I will absolutely make certain that all correspondence to Tribes in my branch are triple checked to ensure we are accurately identifying all addressees. This is a big lesson-learned that I am taking seriously. I recognize this will not help the current challenge of our relationship with the Tribe, and I welcome any thoughts that you have regarding our path forward on this beyond what I've shared. Please let me know if you wish to discuss. Tom

From: McGill, Thomas
Sent: Thursday, December 17, 2020 7:25 PM
To: Jeanine Bennett <JeanineB@miccosukeetribe.com>
Cc: hopel@miccosukee.com; beverlyt@miccosukee.com; kevind@miccosukeetribe.com; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Pugh, Katherine <Pugh.Katherine@epa.gov>; Armor, Suzanne <Armor.Suzanne@epa.gov>; Zimmerman, Eve <Zimmerman.Eve@epa.gov>
Subject: Re: EPA's Approval of the State of Florida's Request to Assume Administration of a Clean Water Act Section 404 Program

Ms. Bennett - I am truly sorry. I will make sure future correspondence is appropriately addressed to Mr. Donaldson. Tom

Sent from my iPhone

On Dec 17, 2020, at 6:04 PM, Jeanine Bennett <JeanineB@miccosukeetribe.com> wrote:

Mr. McGill,

Thank you for this formal letter. Although the EPA feels its duty to consult has been fulfilled the Miccosukee do not. I have communicated this position directly to Administrator Wheeler and will continue in our efforts to be fully heard on this matter.

However, we also must note that on this formal correspondence and the formal response to the comments of the Miccosukee Tribe, you continue to include the name of Mr. Fred Dayhoff as our THPO. You all were formally noticed of Mr. Dayhoff's passing the loss to the Miccosukee people. I know you are aware that Mr. Kevin Donaldson is the designated THPO for the Tribe. Please ensure future correspondence regarding cultural sites is addressed to Mr. Donaldson and not to a person who has passed on.

Thank you,

Jeanine Bennett, Esq.

Jeanine Bennett, Esq.
In-House General Counsel
Miccosukee Tribe of Indians of Florida
Phone: 305-223-8380 xt. 5211
Fax: 305-894-5212

Sent from my Verizon, Samsung Galaxy smartphone, please forgive any errors or misspellings in email.

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----- Original message -----

From: "Mcgill, Thomas" <Mcgill.Thomas@epa.gov>

Date: 12/17/20 5:32 PM (GMT-05:00)

To: hopel@miccosukee.com, beverlyt@miccosukee.com, Jeanine Bennett <JeanineB@miccosukeetribe.com>, Kevin Donaldson <KevinD@miccosukeetribe.com>

Cc: "Calli, Rosemary" <Calli.Rosemary@epa.gov>, "Laycock, Kelly" <Laycock.Kelly@epa.gov>, "Pugh, Katherine" <Pugh.Katherine@epa.gov>, "Armor, Suzanne" <Armor.Suzanne@epa.gov>, "Zimmerman, Eve" <Zimmerman.Eve@epa.gov>

Subject: EPA's Approval of the State of Florida's Request to Assume Administration of a Clean Water Act Section 404 Program

Good afternoon,

Attached to this email is a letter signed by Jeaneanne Gettle, Director of the EPA Region 4 Water Division, regarding the EPA's Approval of the State of Florida's Request to Assume Administration of a Clean Water Act Section 404 Program.

If you have any questions please let us know.

Tom

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Thomas McGill, Chief
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